

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

O2COOL, LLC,	)
	)
Plaintiff,	) CIVIL ACTION NO. 1:16-cv-08824
	) Honorable Elaine E. Bucklo
v.	)
	) JURY TRIAL DEMANDED
FIVE BELOW, INC.,	)
	)
Defendant.	)

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**STIPULATION OF DISMISSAL WITH PREJUDICE**

**WHEREAS**, Plaintiff in the above-entitled action hereby stipulates under Federal Rule of Civil Procedure 41(a) to dismissal of this action with prejudice because the parties have entered into a confidential Settlement and Release agreement to settle any and all claims brought herein;

**IT IS HEREBY STIPULATED**, by Plaintiff that this action shall be dismissed with prejudice pursuant to the aforementioned confidential Settlement and Release agreement. Each party will bear its own costs and fees in this action, including attorneys' fees.

**IT IS SO STIPULATED.**

\* \* \*

Date: October 17, 2016

Respectfully submitted,

**O2COOL, LLC**

By: /s/ Michael A. Parks

Michael A. Parks

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